

objected to the Abstract. Further, the Examiner has rejected claims 11 - 25 and 27 - 30 over the art of record. By the present remarks, Applicants submit that the objections and rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Acknowledgment of Approval of Corrected Drawings

Applicants acknowledge that the Examiner has approved the corrected drawings submitted in Applicants' July 8, 2003 response. In the July 8, 2003 response, Applicants submitted replacement drawings and annotated drawings. Accordingly, Applicants submit that replacement (corrected drawings) have been submitted and approved by the Examiner.

Therefore, while the coversheet of the instant Final Office Action indicates that corrected drawings are required, Applicants submit that such drawings have already been submitted and are part of the official record. Therefore, no further replacement drawings are believed necessary or due.

However, if the drawings cannot be found in the file, the Examiner is requested to contact the undersigned, and a new set of replacement drawings will be forwarded.

Accordingly, Applicants request that the Examiner acknowledge the same in the next official communication to the undersigned.

Objection to the Specification is Moot

Applicants note that the July 8, 2003 response included an Abstract of the Disclosure as part of the Appendix, and page 9 of the response expressly requested entry of the Abstract.

Accordingly, Applicants again request entry of the previously submitted Abstract, and request that the Examiner confirm entry of the same in the next official communication.

Traversal of Rejection Under 35 U.S.C. § 103(a)

1. Over Eastty in view of LeBrat

Applicants traverse the rejection of claims 25 and 27 - 30 under 35 U.S.C. § 103(a) as being unpatentable over EASTTY et al. (U.S. Patent No. 6,359,632) [hereinafter "EASTTY"] in view of LeBRAT et al. (U.S. Patent No. 5,339,166) [hereinafter "LeBRAT"]. The Examiner asserts that, while showing most of the recited features of the invention, EASTTY fails to disclose an algorithm library, but that it would have been obvious to provide such an algorithm library in view of the teachings of LeBRAT. Applicants traverse the Examiner's assertions.

Applicants' independent claim 25 recites, *inter alia*, an *algorithm library* coupled to said computer and to said signal processor. Applicants submit that no proper combination of the applied documents teaches or suggests the above-noted features of the invention.

Applicants note that EASTTY is directed to a touch screen for an *audio signal* processing system. Further, while Applicants acknowledge that EASTTY discloses a random access memory and a program storage memory, Applicants note that EASTTY fails to provide any teaching or suggestion of the information and/or programs stored, or how such information is utilized in practicing the EASTTY invention. Because EASTTY is silent as

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to the information and/or programs utilized, Applicants submit that this document fails to provide any teaching or suggestion of an algorithm library coupled to the computer and signal processor, as recited in at least independent claim 25.

Moreover, Applicants submit that EASTTY certainly fails to teach or suggest any how one ordinarily skilled in the art would access and use an algorithm library within the context of the EASTTY device. That is, while EASTTY discloses features for manually adjusting signals, there is no teaching or suggestion of accessing an algorithm library, or any discussion as to how information from such an algorithm library would be utilized by operator of the EASTTY system.

Therefore, Applicants note that EASTTY fails to provide any teaching or suggestion of an algorithm library, and certainly not suggestion of using information from an algorithm library in operating his disclosed device. Thus, Applicants note that the art of record is completely silent regarding the desirability of an algorithm library, and certainly to any information as to how such a library would be utilized in the operation of EASTTY.

In an effort to cure the above-noted defect of EASTTY, the Examiner has cited LeBRAT, which is directed to a motion dependent image classification for editing an edited or broadcast televised broadcast. Thus, in contrast to the audio processing system of EASTTY, LeBRAT is directed to a video analysis system. Because EASTTY and LeBRAT are directed to wholly distinct systems, Applicants submit that the art of record fails to

provide the necessary motivation for modifying an audio processing device, such as EASTTY, to include a *video processing algorithm library*, such as taught by LeBRAT.

Moreover, Applicants submit that the art of record certainly fails to suggest that it would have been obvious to utilize a video processing algorithm library in EASTTY, and there is certainly no suggestion as to how one ordinarily skilled in the art would operate the modified EASTTY system to utilize the video processing algorithms of LeBRAT with the audio processing device of EASTTY. Applicants further submit that, because EASTTY fails to provide any suggestion of selecting an algorithm for use in audio processing, and certainly no suggestion of selecting a video processing algorithm for audio processing, the art of record fails to provide any teaching or suggestion to those ordinarily skilled in the art how to utilize the LeBRAT library in an audio processing device.

Therefore, Applicants submit that, because the art of record fails to provide the requisite motivation or rationale for modifying an audio processing device to include a video algorithm library, the asserted combination of documents is improper and should be withdrawn.

Further, Applicant submits that claims 27 - 30 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of EASTTY and LeBRAT teaches or suggests, *inter alia*, at least one of

said operating elements is structured and arranged to define a configuration for the processing of the audio signals, as recited in claim 27; at least one other of said operating elements is structured and arranged to adjust a value of at least one selected parameter without changing said configuration, as recited in claim 28; said apparatus further comprising signal paths, positionable levers, filters, modifying processors, and said computer being structured and arranged to acquire data related to states of said signal paths, lever positions, states of said filters, dynamics of said modifying processors, amplitudes of the audio signals, and current positions of said at least two operating elements, and to transmit this data to said at least one screen for display, as recited in claim 29; and a graphic computer arranged to couple said computer to said at least one screen, as recited in claim 30.

Accordingly, Applicants request that the Examiner indicate that allowance of independent claims 25 and claims 27 - 30 in the next official communication.

2. *Over Eastty in view of Bergmann*

Applicants traverse the rejection of claims 11 - 16 and 19 - 24 under 35 U.S.C. § 103(a) as being unpatentable over EASTTY in view of BERGMANN et al. (U.S. Patent No. 5,859,631) [hereinafter "BERGMANN"]. The Examiner asserts that, while EASTTY does not show a carrier for the at least two elements in front of the screen, it would have been obvious to provide such a carrier in view of BERGMANN. Applicants traverse the Examiner's assertions.

Applicants' independent claim 11 recites, *inter alia*, at least two elements and a carrier located, relative to a viewing direction of the screen, in front of the screen, and a computer coupled to the at least two elements via connections in front of said screen. Applicants submit that no proper combination of the applied documents teaches or suggests the above-noted features of the invention.

Applicants note that, as discussed above, EASTTY is directed to a touch screen for an audio signal processing system to enter and change desired parameters. However, Applicants note that EASTTY fails to provide any teaching or suggestion of at least two elements and a carrier located in front of the screen, as recited in at least independent claim 11. Moreover, Applicants note that EASTTY likewise fails to provide any teaching or suggestion of a computer coupled to the at least two elements via connections in front of the screen, as recited in at least independent claim 11.

While the screen 10 viewed by the user of EASTTY can be used for entering and changing parameters, Applicants submit that EASTTY fails to provide any disclosure regarding the structural features of screen 10 at issue in the pending claims. That is, in contrast to Applicants' invention, EASTTY fails to provide any suggestion of at least two elements and a carrier located *in front of the screen*, and/or a computer coupled to the at least two elements via *connections in front of the screen*, as recited in at least independent claim 11.

In fact, while Figure 4 of EASTTY shows the display, and Figures 8A and 8B illustrate a screen pop-up display, Applicants note that EASTTY fails to show *the screen* or discuss its structural arrangement with the display shown in Figure 4. Further, Applicants note that EASTTY likewise fails to teach or suggest any structural features or arrangement of the display screen that would even arguably suggest *at least two elements and a carrier* located *in front* of the screen, as recited in at least Applicants' independent claim 11. Applicants also note that EASTTY likewise fails to provide any suggestion that the computer is coupled to at least two elements (located in front of the screen) via connections in front of the screen.

Because EASTTY fails to provide any teaching or suggestion regarding the screen and the elements depicted in the drawings, Applicants submit that this document cannot teach or suggest the combination of features recited in at least independent claim 11.

Moreover, Applicants note that, as BERGMANN fails to teach or suggest the above-noted subject matter of the instant invention, no proper combination of BERGMANN and EASTTY can render unpatentable at least independent claim 11. Applicants note that, while BERGMANN discloses a front panel that includes knobs and several panel layers, there is no teaching or suggestion that panel layer 6, on which the contacts or flat cables are attached, is a screen for displaying the entered and/or adjusted values, or that a computer is coupled to the at least two elements via connections in front of the screen, each of which is recited

in at least Applicants' independent claim 11.

Applicants note that the screen disclosed by BERGMANN is not a screen for displaying values, but is an overlay utilized for changing the appearance of the display, i.e., an overlay with different views. Thus, the BERGMANN screen is utilized for decorative purposes, but there is no teaching of a connection between the screen and the knobs and key fixed on the front panel.

While the Examiner has noted that nonobvious cannot be shown by attacking the references individually, Applicants note that, as neither EASTTY nor BERGMANN disclose at least the above-noted features of the instant invention, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claim 11.

Further, Applicants note that both EASTTY and BERGMANN teach a same functional relationship between elements for entering and adjusting values and devices for displaying the values. Thus, in contrast to Applicants' invention, the entering/adjusting devices and the display device are arranged on a same level, such that no proper combination of these documents can render the instant invention obvious, in which the entering/adjusting of values is performed on a different level than the display of the values and these levels are separated by a carrier.

Still further, as the panels for entering and/or changing data are different from each

other, the art of record fails to provide the necessary motivation or rationale for combining the art of record in the manner asserted by the Examiner. In particular, Applicants note that EASTTY provides a touch screen, with no teaching or suggestion of components and/or connection located *in front* of the screen. In contrast, BERGMANN discloses a decorative mask that is positioned in front of the screen, but this decorative mask neither teaches nor suggests the components and connections recited in at least independent claim 11.

Still further, Applicants submit that there is no teaching or suggestion for modifying the data entry panel of EASTTY to include the overlay of BERGMANN. That is, as the BERGMANN overlay would be located on the screen of EASTTY, there is no teaching or suggestion that the touch sensors or EASTTY would continue to operate in their intended manner when an additional layer of material is located between the user's finger and the touch screen. Thus, Applicants submit that the art of record fails to provide any suggestion that it would have been obvious to combine these devices in the manner asserted by the Examiner.

Moreover, Applicants note that, while BERGMANN shows a cover panel to cover the knob contacts, there is no teaching or suggestion in BERGMANN that this cover panel would enable the touch screen elements of EASTTY to operate in their intended manners. That is, BERGMANN also discloses an insulating layer located between the outer layer 2 and layer 6 on which the knob contacts are connected, which would appear to prevent the desired

operation of the touch sensors of EASTTY, if provided beneath the insulating layer and on panel 6 of BERGMANN.

Because the sensors of EASTTY would not operate in their intended manners if modified to be located underneath a cover layer and an insulating layer, as suggested by the Examiner, Applicants submit that the art of record fails to provide the necessary rationale for combining EASTTY and BERGMANN in the manner asserted by the Examiner.

Again, Applicants note that the individual documents are being discussed to clearly point out that neither document provides the necessary motivation or rationale to suggest that it would have been obvious to modify EASTTY in view of the disclosure of BERGMANN in any manner that would render at least independent claim 11 unpatentable.

Therefore, Applicants request that the Examiner reconsider and withdraw the rejection of at least independent claim 11, and indicate that this claim is allowable. Further, Applicants submit that claims 12 - 16 and 19 - 24 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit that no proper combination of EASTTY in view of BERGMANN teaches or suggests, *inter alia*, set values of the at least one of the manually entered and adjusted values depend upon a position of said at least two elements, as recited in claim 12; said carrier includes transparent regions assigned to said at least two elements, as recited in claim 13; said computer determines a

configuration for the processing of the audio signals in the signal processor, as recited in claim 14; a device for mounting electronic components is positioned between said carrier and said screen for mounting electronic components, as recited in claim 15; said device for mounting electronic components is positioned on said carrier, as recited in claim 16; said computer is structured and arranged to determine a configuration of the device by detecting positions of said at least two elements, as recited in claim 19; additional elements which are different from said at least two elements are associated with said screen, as recited in claim 20; said computer is structured and arranged to acquire states of said at least two elements via signals in said at least two fields of said screen and to display these states on said screen, as recited in claim 21; said acquired states include signal paths, lever positions, filters, dynamic changing processors, size of signals, position and variation of the position of said at least two elements, as recited in claim 22; at least one of said at least two elements comprises an operating element structured and arranged for configuring an audio mixer, as recited in claim 23; and at least one of said at least two elements comprises an operating element structured and arranged for setting parameters for the processing of the audio signals, as recited in claim 24.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 11 - 16 and 19 - 24 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

3. *Over Eastty and Bergmann in view of Silfvast*

Applicants traverse the rejection of claim 17 under 35 U.S.C. § 103(a) as unpatentable over EASTTY and BERGMANN in view of SILFVAST (U.S. Patent No. 5,959,610). The Examiner asserts that, while neither EASTTY nor BERGMANN disclose at least one shift encoder, it would have been obvious to modify these documents to include such a device in view of the teachings of SILFVAST. Applicants traverse the Examiner's assertions.

Applicants submit that SILFVAST fails to teach or suggest the subject matter noted above as deficient in the asserted combination of EASTTY and BERGMANN. In particular, SILFVAST fails to teach or suggest at least two elements and a carrier connected in front of the screen recited in at least independent claim 11, and fails to teach or suggest a computer coupled to the at least two elements via connections in front of the screen, as recited in independent claim 11.

Because none of the applied documents teaches or suggests at least the above-noted features of the instant invention, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claim 11. In this regard, Applicants note that, in contrast to the Examiner's assertions, the applied art is not being attacked individually. Instead, Applicants have shown that, as each applied document fails to teach or suggest at least the same feature, no proper combination of the applied art can render the recited combination of features (which includes

the above-noted feature not shown in any of the applied art) unpatentable.

Further, Applicants note that SILFVAST fails to teach or suggest the requisite motivation to render the above-asserted combination of EASTTY and BERGMANN proper. In particular, SILVFAST fails to provide any teaching that would render obvious the Examiner's combination of two teachings of EASTTY and BERGMANN.

Further, Applicants note that the art of record fails to provide any teaching or suggestion for modifying any proper combination of EASTTY and BERGMANN to include the disclosed features of SILFVAST. In particular, Applicants note that it is not apparent from the applied art how one ordinarily skilled in the art would modify the touch screen of EASTTY in order to utilize the mechanical device of SILFVAST. Moreover, Applicants note that, as it is not apparent that the proximity devices would remain following the Examiner asserted modification of the applied art, it would not appear that the user would be able to find his hands without looking down at the control panel, which is contrary to the express intention of EASTTY.

Thus, Applicants submit that, as asserted combination of art would result in a system that operates in a manner contrary to the intended operation of EASTTY, the Examiner's asserted modification of EASTTY is improper and should be withdrawn. Further, as the asserted combination is improper, the asserted rejection is likewise improper.

Further, Applicants submit that claim 17 is allowable at least for the reason that it

depends from an allowable base claim and because it recites additional features that further define the present invention. In particular, Applicants submit that no proper combination of EASTTY and BERGMANN in view of SILFVAST teaches or suggests, *inter alia*, said at least two elements include at least one shaft encoder, as recited in claim 17.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claim 17 under 35 U.S.C. § 103(a) and indicate that this claim is allowable.

4. *Over Eastty and Bergmann in view of Jaeger*

Applicants traverse the rejection of claim 18 under 35 U.S.C. § 103(a) as unpatentable over EASTTY and BERGMANN in view of JAEGER (U.S. Patent No. 5,786,811). The Examiner asserts that, while neither EASTTY nor BERGMANN disclose at least one linearly adjustable transmitter, it would have been obvious to modify these documents to include such a device in view of the teachings of JAEGER. Applicants traverse the Examiner's assertions.

Applicants submit that JAEGER fails to teach or suggest the subject matter noted above as deficient in the asserted combination of EASTTY and BERGMANN. In particular, JAEGER fails to teach or suggest at least two elements and a carrier connected in front of the screen recited in at least independent claim 11, and fails to teach or suggest a computer coupled to the at least two elements via connections in front of the screen, as recited in independent claim 11.

Because none of the applied documents teaches or suggests at least the above-noted

features of the instant invention, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claim 11. Thus, Applicants note that the applied art is not being attacked individually, but rather, Applicants are asserting that, as each applied document fails to teach or suggest at least the same feature, no proper combination of the applied art can render the recited combination of features (which includes the above-noted feature not shown in any of the applied art) unpatentable.

Further, Applicants note that JAEGER fails to teach or suggest the necessary rationale for rendering the above-asserted combination of EASTTY and BERGMANN proper. In particular, Applicants submit that JAEGER fails to provide any suggestion for combining the teachings of EASTTY and BERGMANN in the manner asserted by the Examiner.

Further, Applicants note that the art of record fails to provide any teaching or suggestion for modifying any proper combination of EASTTY and BERGMANN to include the disclosed features of JAEGER. In particular, Applicants note that it is not apparent from the applied art how one ordinarily skilled in the art would modify the touch screen of EASTTY in order to mount and utilize the mechanical device of JAEGER in its intended manner. Moreover, Applicants note that, as it is not apparent that the proximity devices would remain following the Examiner asserted modification of the applied art, it would not appear that the user would be able to find his hands without looking down at the control

panel, which is contrary to the express intention of EASTTY.

Thus, Applicants submit that, as asserted combination of art would result in a system that operates in a manner contrary to the intended operation of EASTTY, the Examiner's asserted modification of EASTTY is improper and should be withdrawn. Further, as the asserted combination is improper, the asserted rejection is likewise improper.

Further, Applicants submit that claim 18 is allowable at least for the reason that it depends from an allowable base claim and because it recites additional features that further define the present invention. In particular, Applicants submit that no proper combination of EASTTY and BERGMANN in view of JAEGER teaches or suggests, *inter alia*, said at least two elements include at least one linearly adjustable transmitter, as recited in claim 18.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claim 18 under 35 U.S.C. § 103(a) and indicate that this claim is allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The undersigned authorizes the charging of any necessary fees, including any extensions of time fees required to place the application in condition for allowance by

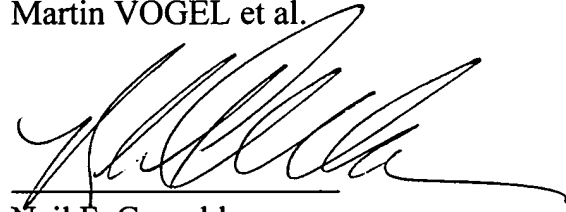
Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency of this application.

CONCLUSION

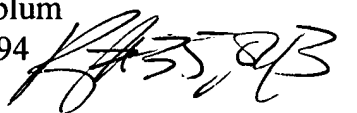
In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 11 - 25 and 27 - 30. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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